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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

FRANCISCO LUA, a minor,

Plaintiff and Appellant,

v.

RONALD SALZETTI,

Defendant and Respondent.

D048432

(Super. Ct. No. GIC833829)

ORDER MODIFYING OPINION
AND DENYING REHEARING

[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on April 17, 2007, is modified as follows:

1. At page 1, the second sentence of the first paragraph is modified to read:

Reversed and remanded, with directions.

2. At page 2, the third sentence of the first full paragraph is modified to read:

We further conclude that these errors were prejudicial and that we must therefore reverse the judgment and order a retrial of the lack of informed consent claim.

3. At page 6, the last sentence of the first full paragraph of the Discussion section is modified to read:

We also conclude that these errors were prejudicial and that we must therefore reverse the judgment and order a retrial of the lack of informed consent claim.

4. At page 11, the disposition is deleted and replaced by the following:

The judgment is reversed and the matter is remanded for a retrial of Lua's lack of informed consent claim. Appellant shall recover his costs on appeal.

There is no change in the judgment.

The petition for rehearing is denied.

NARES, Acting P. J.

Copies to: All parties